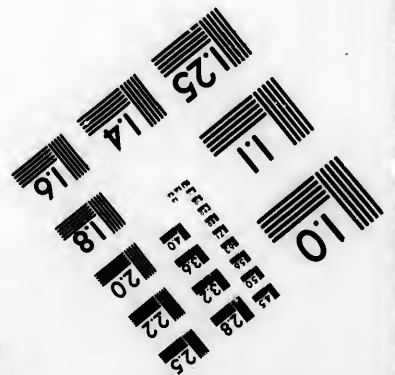
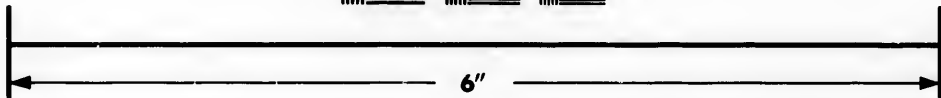
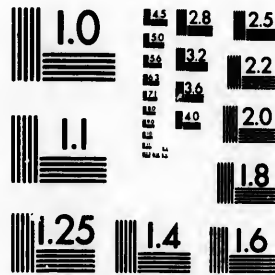


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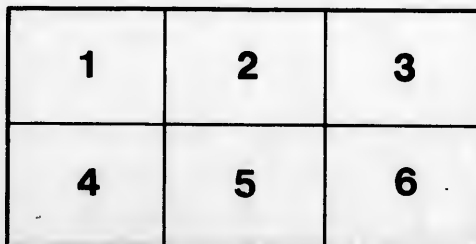
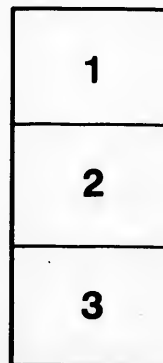
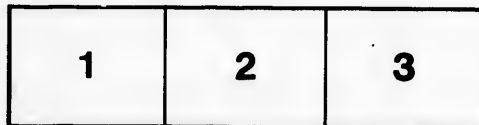
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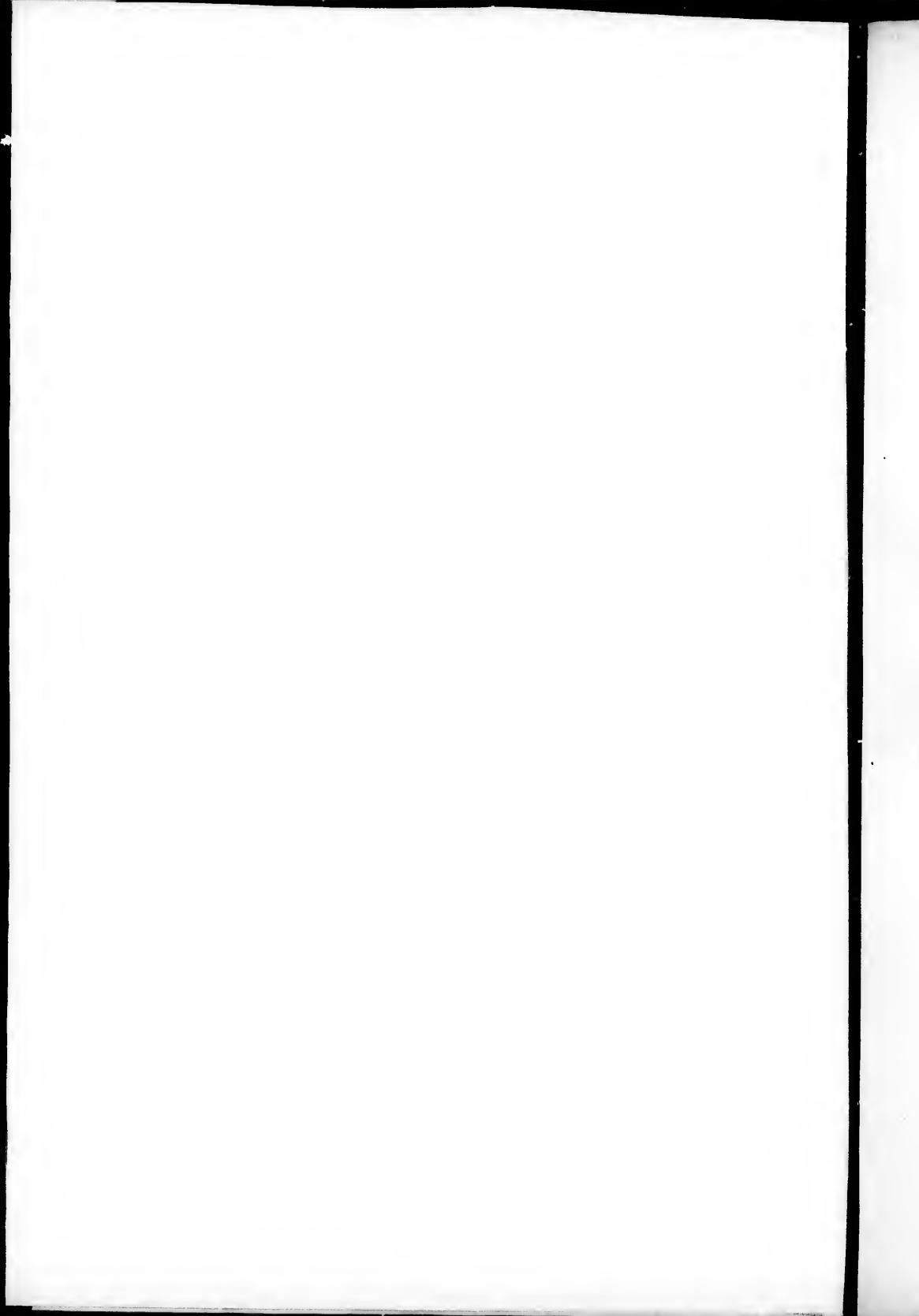
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REMARKS
ON THE
BILL PRESENTED TO PARLIAMENT,
AND READ A FIRST TIME,
FOR
IMPROVING THE CONDITION
OF
MASTERS, MATES, AND SEAMEN
IN THE MERCHANT SERVICE.

BY
REAR-ADMIRAL BOWLES, M.P.

LONDON:
JAMES RIDGWAY, PICCADILLY.
1849.

London, Oct. 26th, 1849.

MY DEAR SIR,

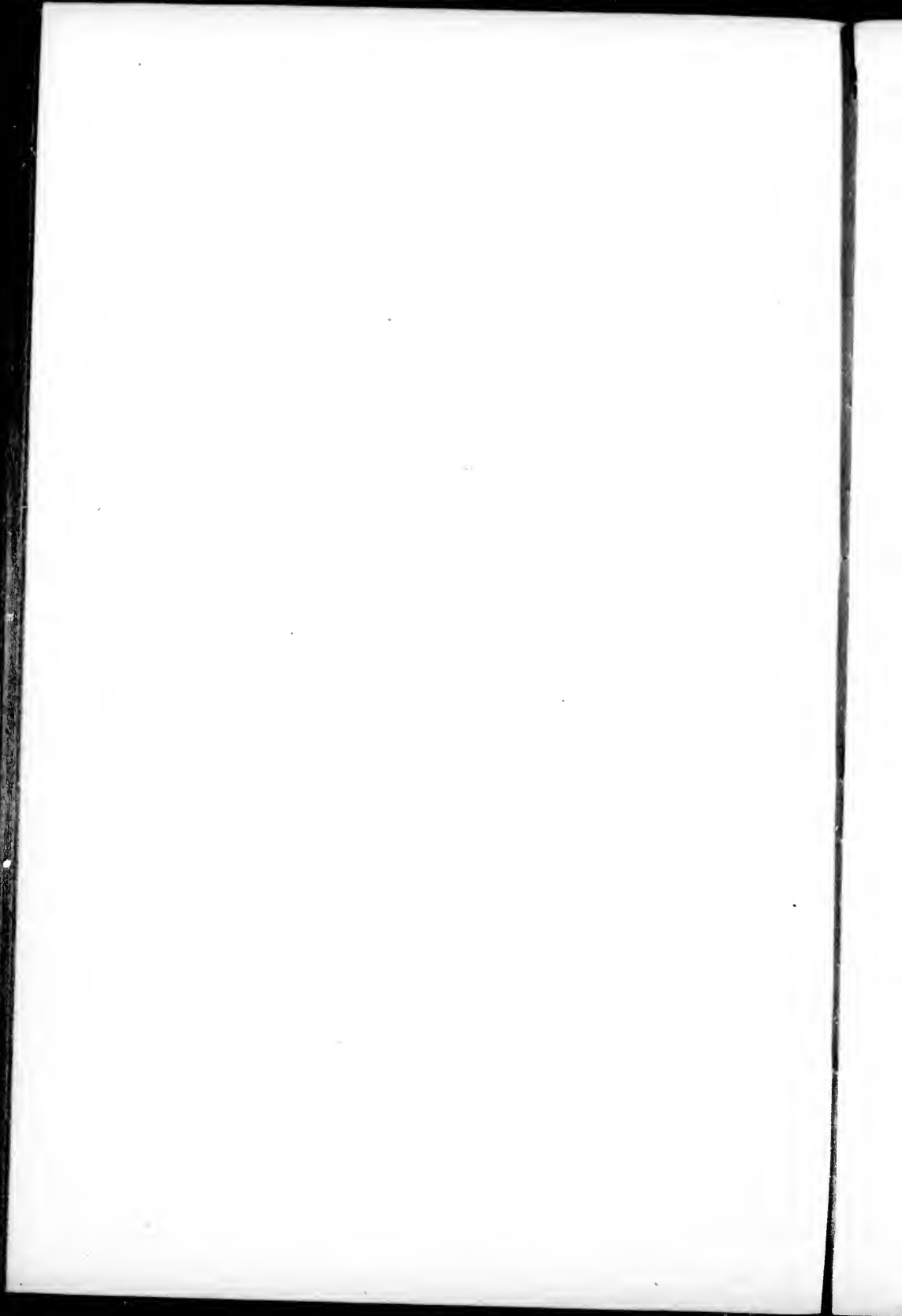
As your name is on the back of the Bill to which the accompanying suggestions refer, and as the question is one so intimately connected with our Naval interests, you will, I hope, excuse my troubling you with them in the first instance; and if the matter is not in your hands, you will perhaps have the kindness to forward them to Mr. Labouchere, to whom I intimated my intention of offering some remarks on this subject during the recess.

I am, my dear Sir,

Very faithfully, yours,

W. BOWLES.

The Right Hon. Sir F. T. Baring, Bt.
&c. &c. &c.



SUGGESTIONS for the extension and further amendment of the Bill for improving the condition of Masters, Mates, and Seamen in the Merchant Service.

THERE can be no doubt of the beneficial results to which we may confidently look forward in a few years after this law has come into operation, and when under its provisions a superior class of men, well educated and qualified for their situations, shall be established in the command of our Mercantile Marine.

It is equally certain that its enactments will protect our Merchant Seamen from many abuses and impositions which now weigh heavily upon them ; but there are still two very material points which have been almost entirely overlooked, and which, if not duly attended to, will after all render this measure much less useful and effective than it would otherwise be.

These are, First, the necessity for the promulgation of a distinct and simple code of offences and punishments at sea, following as nearly as the dif-

ference of circumstances will admit, the language and arrangements of the Act of Parliament under which the Royal Navy has so long been governed, and its order and discipline so successfully maintained and preserved ; and, Secondly, the formation of such tribunals in Foreign ports as may take cognizance of, and, if possible, finally arrange and decide, all offences committed on the outward passage, or during the time of the ships remaining in such foreign port.

With respect to the first point, it will be necessary to examine carefully, with a view to their consolidation into one Act, all the statutes which relate to the subject, and which are at present very imperfectly known to those whom they most nearly concern. It is obviously impossible to maintain any rational discipline or subordination, except both those who command and those who are to obey, clearly comprehend their respective powers and duties ; and a great proportion of the complaints as well as irregularities in our Merchant Service may be attributed to the absence of such a code as that which I now propose to establish, and which (like our Articles of War in the Royal Navy) should be hung up in some public part of every merchant ship, and always accessible to every one wishing to peruse it.

We have already compressed our Criminal Code within the space of a small octavo volume ; there

can surely be very little difficulty in following the same course with respect to the various Acts of Parliament scattered throughout our Statute Books which relate to our Merchant Navy ; and offences and their penalties being thus clearly defined, it would only remain to provide for that more speedy and certain inquiry and decision which forms so important a feature in our modern jurisprudence.

Grave and heavy crimes must of course be reserved for our National Courts, but lighter and smaller offences might be at once investigated and disposed of by establishing such tribunals in foreign ports as I am now about to propose, and which I believe when placed under proper regulations (and made reciprocal if it was so desired), no other nation would object to.

All ~~these~~ who have read with any attention those reports from our Consuls abroad on the present character of the British commercial marine, which are contained in the papers presented last year to Parliament, will see that I recommend nothing which these gentlemen do not almost unanimously state to be absolutely necessary, and without which their best efforts can be of very little avail. The powers I would confide to them are already possessed by the Consuls of almost every other maritime nation, and it is to our own defective regulations in this respect, and to the absence of a sufficient authority and control over our mercantile navy in

foreign ports, that most of the irregularities and discreditable occurrences so fully detailed in these reports are attributable.

I would suggest therefore that on the arrival of all British merchant ships at their foreign port of destination, they should as soon afterwards as possible be visited by the Consul or Vice-Consul, or in their absence by some Officer of the Royal Navy, whose ship may be lying at the port in question, and the papers being produced and verified, the crew should be mustered, the ship's log-book examined, the list of fines and other punishments inflicted during the voyage publicly read, and if complaints or appeals against the justice or legality of such punishments be made, it shall be the duty of the Consul, or in his absence of any commanding Officer of Her Majesty's ships who may be present, to fix a time and place for the inquiry into the said appeal and complaint, and forming a court of not less than three persons, proceed to investigate and summarily determine the cases brought before them, keeping a record of their proceedings, inserting in the ship's log-book any increase or remission of fine or other punishments, and in all important and aggravated cases, especially where either the masters or mates may have misconducted themselves, reporting the particulars to the Board of Trade for the purpose of the investigation directed in clause 20 of this Act.

I would further suggest that every merchant ship before clearing out for return to England shall be again visited by some of the before named authorities, the crew mustered, the absence of every individual satisfactorily accounted for,* and all complaints up to the day of departure inquired into and decided on—recording the proceedings in the log-book as before directed.

These proceedings will have a tendency to preserve a constant check over both superiors and inferiors, to deter the Commanders from inflicting any unjust or excessive punishments, and to prove to the seamen that the superintending power of their Government was always at hand as well for their protection, when necessary, as for the preservation of order and discipline.

Perhaps the proposed tribunal (which would be a kind of Petty Sessions), might advantageously consist partly of Naval officers, and partly civilians; but as the Consuls at foreign ports are subordinate in authority to the Commanders of Her Majesty's ships, it would be necessary to define their respective powers in these cases very carefully, to prevent disputes or collisions.

If these suggestions should be thought worthy of attention, a Commission might be formed to

* This precaution is particularly necessary to prevent the too common practice of leaving men behind wilfully at foreign ports, that their wages may become forfeited as deserters.

frame the Code in question, consisting of one or more officers of the Royal Navy, who have commanded on foreign stations, two Masters of experience and good character in the Merchant Service, and the Solicitor of the Admiralty, or some other competent legal adviser; and the same persons, with the assistance of any of Her Majesty's Consuls now in England, might draw up the regulations and form of proceeding for hearing and determining all complaints, and offences committed by British merchant seamen on the High Seas or in foreign ports, which the Act of Parliament placed under their jurisdiction.

I will only add, that having served nearly five years in South America at a period when no recognized Consular authorities existed in that country, and all the duties devolved on the Naval Officer in command, I do not speak without some considerable experience on the subject I am now discussing, and I am able to corroborate by my own testimony all the more important facts contained in the various reports submitted to Parliament last year, and to which I have already referred.

It is deeply to be regretted, that the improvements now contemplated did not precede (or at least accompany) the repeal of the Navigation Laws; and that our commercial marine should not have been more carefully prepared for the great struggle for superiority in which it is now involved with rivals,

who, during the last thirty years, have been rapidly advancing in experience and arrangement; but these reflections come too late to be useful, and I will conclude by expressing my earnest hope that the time already lost may warn us of the dangers of further delay.

W. B.

